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Attorneys for Federal Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

RICKIE JOHN GRATE, by and through his)
 Guardians Ad Litem, SANDRA TUCKER)
 and MARSHA D. LATNER,)

Plaintiff,)

v.)

UNITED STATES OF AMERICA, and)
 DOES 1 through 100, inclusive,)

Defendants.)

Case No. C 04-5220 MEJ

**STIPULATION AND ~~PROPOSED~~
 ORDER FOR ADDITIONAL
 STANDSTILL PERIOD OF FORTY
 FIVE DAYS ON CERTAIN PENDING
 CASE MANAGEMENT DEADLINES**

The parties and their counsel of record appeared at the settlement conference before Magistrate Judge Wayne D. Brazil on October 17, 2006 and reached terms of settlement. Because the settlement involves the purchase of an annuity and related matters, the parties believe they will need approximately 30 days to prepare and file the appropriate stipulation of settlement and proposed order to the Court (“the settlement stipulation”). In order to facilitate the settlement process, the parties are requesting an additional standstill period of 45 days for certain pretrial deadlines, as follows:

1. The deadline for designation of rebuttal experts is extended to December 11, 2006.
2. The close of fact discovery is extended to December 22, 2006.

3. The trial date and remaining pre-trial deadlines are not changed.
4. The parties also request that upon the filing of the settlement stipulation, in approximately thirty days, the Court vacate the trial date and all pretrial dates.

SO STIPULATED.

LAW OFFICES OF SEAN M. BURKE

DATED: October 18, 2006

By: //ss//
SEAN M. BURKE
Attorneys for Plaintiff

KEVIN V. RYAN
United States Attorney

DATED: October 18, 2006

By: //ss//
JONATHAN U. LEE
Assistant United States Attorney
Attorneys for Defendant

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: October 19, 2006

MARIA-ELENA JAMES
United States Magistrate Judge

